

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.: 10/017,965  
Applicants: Mitsuaki OSHIMA et al.  
Filed: December 7, 2001  
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON  
OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND  
METHOD OF PRODUCING OPTICAL DISK  
TC/A.U.: 2137  
Examiner: Paul E. Callahan  
Confirmn. No.: 8891  
Docket No.: MTS-520US4

**PETITION UNDER 37 C.F.R. § 1.181 FOR CONSIDERATION OF  
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
BOX ISSUE FEE  
Washington, DC 20231

S I R :

Applicants filed a Supplemental Information Disclosure Statement on April 24, 2008. A copy of the Supplemental IDS filed on April 24, 2008 along with a copy of the Electronic Acknowledgement Receipt is enclosed as evidence of receipt by the USPTO.

The Supplemental Information Disclosure Statement filed on April 24, 2008, although properly filed, has not been considered.

The Examiner is respectfully requested to consider the references enclosed with the originally filed IDS and to return the initialed Form PTO/SB/08a to the undersigned.

It is respectfully requested that issuance of the above-identified application be suspended until the IDS has been considered.

Respectfully Submitted,

Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

LEA/nm

Enclosures: Supplemental IDS and accompanying documents as noted above

Dated: January 20, 2009

P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

**Acknowledgement Receipt**

The USPTO has received your submission at **15:07:27** Eastern Time on **24-APR-2008**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

**eFiled Application Information**

|  |  |
|--|--|
| EFS ID                                       | 3202846  |
| Application Number                           | 10017965   |
| Confirmation Number                          | 8891   |
| Title  | MARK FORMING<br>APPARATUS, METHOD OF<br>FORMING LASER MARK<br>ON OPTICAL DISK,<br>REPRODUCING<br>APPARATUS, OPTICAL<br>DISK AND METHOD OF<br>PRODUCING OPTICAL<br>DISK |
| First Named Inventor                         | Mitsuaki Oshima  |
| Customer Number or<br>Correspondence Address | Allan Ratner<br>Ratner & Prestia<br>P.O. Box 980<br>Valley Forge<br>PA 19482 US<br>610-407-0700  |
| Filed By                                     | Lawrence E. Ashery   |
| Attorney Docket Number                       | MTS-520US4   |
| Filing Date                                  | 07-DEC-2001  |
| Receipt Date                                 | 24-APR-2008  |
| Application Type                             | Utility under 35 USC 111<br>(a)  |

**COPY****Application Details**

| Submitted Files | Page Count | Document Description                         | File Size    | Warnings   |
|-----------------|------------|--|--------------|------------|
| REF0210629.PDF  | 8          | Foreign Reference                            | 441617 bytes | ◆ PASS     |
| IDS.PDF         | 3          | Information Disclosure Statement (IDS) Filed | 125944 bytes | △ WARNINGS |

This is not an USPTO supplied IDS fillable form

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EQ/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

*If you need help:*

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*

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AND METHOD OF PRODUCING OPTICAL DISK  
TC/A.U.: 2137  
Examiner: Paul E. Callahan

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COPY**

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner In charge of the above-identified application is requested to consider and make of record the reference listed on the PTO/SB/08a submitted herewith. A copy of each reference listed on the PTO/SB/08a, other than U.S. patents, is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

European reference EP 0 210 629 is provided in the English language.

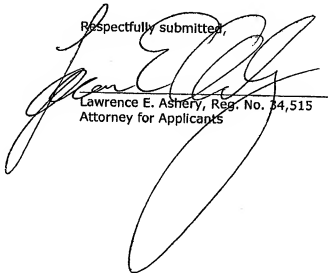
This reference was cited by a foreign patent office in a counterpart foreign application. MPEP Section 609(a)iii, second paragraph.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Lawrence E. Ashery', is written over a horizontal line.

Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

LEA/so

Enclosures: PTO/SB/08a  
(1) Reference

Dated: April 23, 2008

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(610) 407-0700

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(Use as many sheets as necessary)

**SHEET 1 of 1**

**Complete if Known**

|                      |                        |
|----------------------|------------------------|
| Application Number   | 10/017,965             |
| Filing Date          | December 7, 2001       |
| First Named Inventor | Mitsuaki Oshima et al. |
| Art Unit             | 2137                   |
| Examiner Name        | Paul E. Callahan       |
| Attorney Docket No.  | MTS-520US4             |

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

| FOREIGN PATENT DOCUMENTS |                       |   |                               |   |   |                          |
|--------------------------|-----------------------|---|-------------------------------|---|---|--------------------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date (MM-DD-YYYY) | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup>           |
|                          |                       | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If known) |                               |   |   |                          |
|                          |                       | EP 0 210 629 A2   | 02-04-1987                    | Kabushiki Kaisha Toshiba                        |   | <input type="checkbox"/> |
|                          |                       |   |                               |   |   | <input type="checkbox"/> |
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|                          |                       |   |                               |   |   | <input type="checkbox"/> |
|                          |                       |   |                               |   |   | <input type="checkbox"/> |
| Examiner Signature       |                       |   |                               | Date Considered                                 |   |                          |

<sup>4</sup>Applicant is to place a check mark here if English language translation is attached

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